

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SIRE SPIRITS, LLC,

Petitioner,

-v-

MITCHELL GREEN,

Respondent.  
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21 Civ. 7343 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

The parties have sought leave to redact numerous exhibits attached to filings in connection with Petitioner’s petition to confirm the partial and final awards entered in an arbitration proceeding and Respondent’s motion to vacate those awards. *See* Dkts. 20, 27. After reviewing the parties’ submissions, *see* Dkts. 20, 22, 26, 27, 29, the Court grants the motion pending at Docket Number 27 and provisionally grants the motion pending at Docket Number 20.

For the motion pending at Docket Number 27, the Court finds that Petitioner’s privacy interests in its confidential business and financial information outweigh the presumptions of public access to information contained in the proposed limited redactions. *See Regeneron Pharms., Inc. v. Novartis Pharma AG*, No. 20 Civ. 5502 (AJN), 2021 WL 243943, at \*1 (S.D.N.Y. Jan. 25, 2021) (explaining that “courts in this District routinely seal documents to prevent the disclosure of a party’s confidential or competitively sensitive business information”). The Court therefore grants the motion pending at Docket Number 20, and authorizes the public filing of the subject exhibits with the proposed redactions and the filing under seal of unredacted versions of those exhibits.

For the motion pending at Docket Number 20, Petitioner argues, in part, that the

presumption of public access does not apply to the proposed redactions because the contents “are not relevant to the Court’s ‘severely limited’ inquiry into whether the arbitration awards should be confirmed or vacated” and therefore the common law and First Amendment right of public access does not apply. Dkt. 26; *see Lugosch v. Pyramid Co. of Onondaga*, 435 F. 3d 110, 119 (2d Cir. 2006) (holding that the presumption of public access applies only to judicial documents, which are “item[s] . . . relevant to the performance of the judicial function and useful in the judicial process.” (quotations omitted)). The Court provisionally grants the motion pending at Docket Number 20, and directs Respondent to publicly file the subject exhibits with the proposed redactions, and unredacted versions under seal, pending resolution of the petition to confirm and motion to vacate. The Court will issue a final decision on whether to maintain these publicly filed redactions after deciding the petition and motion. *See Citigroup, Inc. v. Abu Dhabi Inv. Auth.*, No. 13 Civ. 6073 (PKC) (S.D.N.Y.), Dkt. 30 (provisionally accepting redactions but “reserv[ing] the right to reassess those redactions when [the court] has a better understanding of the relationship, if any, of the redacted materials to the parties’ motions”); *Church & Dwight Co. Inc. v. SPD Swiss Precision Diagnostics, GmbH*, No. 14 Civ. 585 (AJN), 2014 WL 7238354, at \*4 (S.D.N.Y. Dec. 19, 2014) (provisionally granting redaction requests while reserving the right to “revisit [the court’s] decision . . . following the resolution of the present dispute or upon request”).

The Clerk of the Court is respectfully directed to close the motion pending at Docket Number 27.

SO ORDERED.

Dated: December 28, 2021  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge